

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Coronado, Roger Jr. by and through his)
next friend, Shelley Gilbert)
Plaintiff,)Civil Action: 08cv1254
v.)Judge St. Eve
Valleyview Public School District, 365-U)Magistrate Judge Schenkier
Alan Hampton, Bollingbrook Police, Ind.-Off Cap.)
Don Lavery Off.-Indiv. Capacities)
T. Gavin Off.-Indiv. Capacities)
Steven Prodehl)
Defendants.)

MEMORANDUM IN SUPPORT OF MOTION TO VACATE ORDER (ECF 57) DISMISSING
BOLINGBROOK POLICEMAN ALAN HAMPTON FROM ACTION; AND OR TO REINSTATE ALAN
HAMPTON AS A DEFENDANT BY WAY OF SECOND AMENDED COMPLAINT

NOW COMES Plaintiff by and through his Next Friend Shelley Gilbert, and both through Attorney Christopher Cooper, move this Court pursuant to its order, ECF 57. Plaintiff through Next Friend and counsel state as follows:

- (1) Defendant Hampton was named as a defendant in the above captioned matter in the plaintiff's amended complaint.
- (2) Defendant Hampton was dismissed without prejudice pursuant to F.R.C.P. 17(2).
- (3) The Court granted (ECF 57) plaintiff leave of court, until May 1, 2008, to file an (second) amended complaint that includes a Next Friend.
- (4) On Sunday April 27, 2008, plaintiff's counsel filed a second amended complaint and that the complaint represents that plaintiff has a Next Friend.

WHEREFORE, leave of court having been granted April 23, 2008, plaintiff by and through Next Friend Shelley Gilbert, and both through counsel, respectfully ask(s) the Court to Vacate its order dismissing Alan Hampton; and or to allow, by way of the amended complainant, the reinstatement of Alan Hampton as a defendant in the above captioned matter.

RESPECTFULLY SUBMITTED

s\Christopher Cooper, ESQ., PHD., 27 April 2008

Counsel for Plaintiff

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CERTIFICATE OF SERVICE: The undersigned attorney swears that on April 27, 2007, he filed the foregoing on ECF and that all defendants are registered e-filers. s\Christopher Cooper.